

The new Constitution will be voted for on the third Tuesday of December, being the 15th day of said month.

### The Constitution.

It is a gratification to know that the question, as to whether the Constitutional Convention has the right to reject old laws, and put them aside and make new laws for the government of the people before receiving the assent of the people to their work, has been carried up to the Supreme Court for decision. Without the thought of a reflection on the Secretary of State for neglect of duty, the wonder is, that he did not immediately move in that direction, for the Convention by its action on the question of submitting the Constitution to the people was like a "double-ended" body; it said that throughout the State it shall be submitted this way, and in Philadelphia it shall be submitted that way. How could the Secretary of the Commonwealth serve two masters?

By leaving the question unchallenged until after the election it might, and doubtless would have become a source of the most unpleasant legal difficulties throughout the State. By having the Supreme Court to decide on it previous to the election the matter will be disposed of until another Convention is called. If the Court decides in favor of the retro-active power of the Convention, the mandate must be obeyed. But as the calling of the next Convention, whenever that may be, the people will see to it that the dangerous revolutionary power that the Convention assumed is entirely taken from it.

We here publish the petition as filed in the Supreme Court relative to the trouble. Read it carefully.

In the Supreme Court of Pennsylvania and for the Eastern District, sitting in Equity, of January Term, 1874, No. —, between Francis Wells, Charles E. Warburton, Gibson Peacock, Ferdinand L. Featherston and Harriett Neff, plaintiffs, and James Bain, Alexander McCuen, Thomas M. Locke, Edwin H. Fittler, Edward Browning, John P. Verree, Henry S. Hager, and John O. James, and the City of Philadelphia, defendants.

Your orators complain and say:

First, That they are citizens and qualified voters of Pennsylvania, and resident holders of real estate and tax payers in the city of Philadelphia.

Second, That the said defendants, James Bain, Alexander McCuen, and Thomas M. Locke are City Commissioners of the city of Philadelphia; and that the said Edwin H. Fittler, Edward Browning, John P. Verree, Henry S. Hager, and John O. James assume to be "Commissioners of Election" under and by virtue of a certain ordinance passed by the Convention to revise and amend the Constitution of this State, which was contained under the provisions of the act approved April 11, 1872, entitled "An act to provide for calling a convention to amend the constitution," a copy of which ordinance will be found hereto annexed.

Third, That the said defendants, Edwin H. Fittler, Edward Browning, John P. Verree, Henry S. Hager, and John O. James propose to hold an election in the city of Philadelphia on the third Tuesday of December, 1873, for the purpose and in the manner prescribed in the said ordinance, to assume and exercise all the powers therein and thereby attempted to be conferred upon them by the said ordinance, to disregard and set aside the requirements of the sixth section of the said act of April 11, 1872, and to prevent the election officers of the city and county of Philadelphia from discharging the duty incumbent upon them of holding the said election, and that the said defendants, James Bain, Alexander McCuen, and Thomas M. Locke, City Commissioners as aforesaid, propose to expend a large sum of money belonging to the treasury of the city of Philadelphia, in defraying the expenses of the said proposed election.

Fourth, That it is alleged in support or justification of the proposed action of the said defendants, that the said convention, which was called to revise and amend the constitution of this State, was and is invested with the absolute sovereignty of this Commonwealth; that it can disregard and set aside the existing constitution and laws of this Commonwealth; and that, in short, the citizens of this Commonwealth were and are subject to the power of the said convention in the same sense that the inhabitants of an absolute monarchy are the subjects of the reigning monarch; but that your orators charge the contrary, and aver that the members of the said convention were selected in the manner prescribed by the said act of April 11, 1872, for no other purpose than that of preparing the draught or form of an amended constitution, and submitting the same to the people for adoption or rejection at an election to be conducted according to law; that the General Assembly of this Commonwealth could not possibly have convened an absolute and sovereign convention invested with all the legislative, judicial, and executive power in this Commonwealth in the manner in which the now existing convention was convened; that the delegates to the said convention were not elected by, nor did they represent, the people

in any sense which is consistent with the ideas of election and representation as recognized by the constitution, laws, customs, and traditions of this Commonwealth; that nearly one-half of the delegates to the said convention, including those representing, in theory, the entire State, as well as those not representing its various subdivisions under the said act of April 11, 1872, were not the choice of a majority of the electors of the said State, or of the said subdivisions; that of the twenty-eight delegates from the State at large fourteen represented a majority of about 352,000 voters, and the same number represented a minority of about 315,000 voters, and the same division of delegates would have been the case if the majority had consisted of six hundred thousand voters and the minority of sixty voters.

Fifth, That by the same ordinance the amended constitution prepared by the said convention is to be submitted to the people as a whole, although one-third of all the members thereof did require the separate and distinct submission to a popular vote of Article V of the said constitution, relating to "the judiciary," and that the copy hereto annexed is a true copy of the said proposed constitution.

Sixth, That your orators, therefore, charge that the proposed acts of the defendants are utterly illegal, and that no money or property of any kind belonging to the city of Philadelphia can be lawfully appropriated, used, or expended in holding the election proposed to be held by the said defendants, Fittler, Verree, Browning, Hager, and James; that such appropriation, use, or expenditure, would be a breach of the trust upon which said money or other property is held; and that all the proposed doing of the said defendants in the premises are contrary to law and prejudicial to the interests of the community.

Your orators being therefore equitable and in common law, pray equitable relief as follows:

First, That the said defendants, and each of them, be enjoined by injunction preliminary until hearing, and perpetually thereafter, from appropriating, using, or expending any money or other property of the city of Philadelphia in or about preparing for or conducting the said election proposed to be held on the 15th day of December, 1873, by the said defendants, Fittler, Verree, Browning, Hager, and James, and each of them, be enjoined by injunction preliminary until hearing, and perpetually thereafter, from holding the said election.

Second, Such other relief as to the court may seem fit.

I certify that there had not been time to print the above bill.

J. E. GOWEN.

Teachers' Institute—A Visit to it on the Evening of Thanksgiving Day.

Only a generation of people have passed away into the never-ending unknown future world since the Common School System was espoused and championed by Governors Wolf and Ritner, both of them of German extraction.

In our day and generation we do not yet fully comprehend the scope of the minds and the benevolence of the hearts of Wolf and Ritner, that moved them to withhold the opposition of a well-meaning, but highly bigoted, prejudiced and ignorant people, so that the Common School System might be established in this Commonwealth.

They were not time-servers; they worked for the good of coming generations. We are now scarcely more than getting a glimpse of the great good that is to flow from the system, if it be kept within its natural channel, and be not turned into some other system that contains the germ of an evil that in time will develop abuses that cannot fail to outweigh all the good it has ever done.

Among the chief features of the system is the Teachers' Institute. By virtue of office, the County Superintendent is its President. Its object is varied, but in the main it is to give teachers an opportunity of an interchange of opinion, and allow them to strengthen the bonds of friendship by a closer acquaintance and familiarize themselves with a routine of business in a public assembly, &c., all of which is very well, and by a direct influence more than compensates for the loss of time by the teacher while attending the Institute.

This same feature, under different names, runs through every system of religion and government and party.

In religion we find it in the Synod, Presbytery, Conference and ecclesiastical bodies of other names.

In government, we find it in mere building form, in Congress, Legislatures and cabinet meetings.

In parties we find it in conventions and other political bodies; and we find it in the council meetings of the North American Indian. Indeed the feature is natural to every organization, whether of civilized or uncivilized men, and the Common School System could not, in the nature of things, exist long without developing the feature in some way.

No more appropriate name than "Teachers' Institutes" has suggested itself to designate the assemblies, annually, of the teachers of the respective counties of this Commonwealth.

Last week had not been set apart as the proper one for holding the annual Institute for this county, and Monday day for its opening. According to programme business was commenced at 1 o'clock P. M., under most favorable auspices. Eighty-eight teachers, a number of ex-teachers, and still more, a number of teachers from other counties were in attendance, which, when all numbered, considerably exceeded one hundred.

An unusual interest from the beginning centered in the Institute, and found no abatement from that day to the last one, Friday.

On Monday evening the question of Compulsory Education was discussed. Of the citizens of the town J. Lyons was the only one who took a part in its discussion. The despotic system had a number of advocates.

Prof. W. W. Woodruff, of Bucks county, was in attendance at all the meetings of the Institute, and took an active part in discussing questions with local celebrities. He delivered a lecture on "Music," which is highly spoken of by those who heard it; one on "Language;" one on "Failure and Success of Teaching;" one on "Spelling and Pronunciation;" and it is proper, just to be observed, while the subject of spelling and pronunciation is mentioned, that K. McMen asked a number of questions and delivered some remarks on the spelling and pronunciation of the word "impenetrable." Mr. Woodruff also lectured on "The General Management of Schools," and on "General Information."

Dr. T. L. Griswold, Principal of Bloomsburg Normal School, was also in attendance a day or two. He lectured on "Anatomy," and had a skeleton with him to better enable him to explain the subject to his audience. To say the assembly was only interested in the lecture does not express the sentiment or feeling of the people who saw the skeleton and heard the Professor speak of it. They were excited. They had never witnessed such an exhibition before. He also lectured on the "Ventilation of School Rooms," and on "Physical versus Mental Training."

Directors and citizens from different parts of the county were in attendance, and those who expressed themselves, pronounced it the most complete Institute ever held in Juniata county. Such expressions were a merited compliment to the present Superintendent, and doubtless cheered and thrilled the heart and elevated the mind of Mr. Lloyd, the late Superintendent, who did so much for the schools in this county, to know that the work has not retrograded, and that the mantle he so honorably wore, and so recently put off, has not fallen on unworthy shoulders.

His heart is yet in the work, and notwithstanding his impaired health he came once more to see how the work to which he gave his time and best days is progressing. He was present at the Institute on Friday.

Prof. David Wilson, proprietor and President of Airy View Academy, and who has no superior as an Academic teacher in Pennsylvania, was in attendance on Director's day, and addressed the Institute on questions that came before it.

Capt. McCallan delivered a speech in support of a rule advocated by directors of this borough, to exclude pupils who have missed attending school two days in succession, unless returned to school again by express permission of the board of directors.

The Institute adjourned on Friday evening, after listening to a lecture—subject, "Honor"—by J. C. Arms, of the Pittsburg Commercial newspaper.

Our business relationship was of such a character last week that we had to forego the pleasure of attending the Institute, excepting the merest peep at it, as on one or two occasions we passed the Court House. On Thursday evening—the evening of Thanksgiving day—however, we determined to be present. We went early, expecting by so doing to get a favorably located place to sit. To our surprise such desirable places, as well as all undesirable places, had an earnest and eager occupant, and all on the *qui vive*. They were looking for the lion of the occasion. They were expecting Mr. Arms, who was to lecture on "Boys." There was no place left but good "standing room." Mr. Lyons having an office quite convenient to the Court House, which is quite an item for a practicing lawyer who is compelled to constantly oscillate between the Temple of Justice and his clients in the dispensing of law to his clients. We stepped into it and found him busy at work at "legal lore," which Arms says is as hard work as breaking stone; and as he has had experience at work at law, and possibly at breaking stone too, he ought to know; but that as it may, we borrowed a chair from Mr. Lyons and went back to the Institute and saw our company comfortably seated. The next thing was a seat for myself, which we found on the steps at the left of the Judge's seat. "A bad place for you," said a voice in a whisper, as we sat down; "don't you see you are on the left side of the Judgment seat?" "Truly enough, it is so here, but we hope and pray it may not be so in the next world," we breathed back in a whisper, and then we looked and saw between us and the Judge's seat a lawyer and a banker, and to our immediate left was a preacher, and we could not help but note the order of the row which was as follows: First, the banker; second, the lawyer; third, the editor; fourth, the preacher; and we did not refrain from observing to ourselves that the preacher, as in all other places there, too, held the most advantageous position by being the furthest removed from the law, and we confess, too, that we were a good deal like the Pharisee and

forgot our own miserable situation and pitied the lawyer and banker who were so near the seat of Justice. We broke from this serious vein of reflection and elevated our eyes, and away off toward the north side of the room, near the organ, which Miss Annie Wise managed, all say, during the sessions of the Institute with so much skill, sat Mr. Robison, the efficient Superintendent of Common Schools of this county. The intelligence, integrity, and freedom of purpose of the "old Covenanter," from whom he is sprung, modestly beamed from his face, and caused those who did not know him to inquire of him. Prof. Woodruff, with his attractive face and quick eyes, sat near, and J. C. Arms, the lion of the occasion, whose face does not, excepting under searching looks, bears correct evidence to the great talent of which he is possessed, was also one of the group, and E. D. Parker, Esq., whose face at a side view always reminds one of the pictures that we have seen of Currier, the great French naturalist, was in that immediate vicinity, too; and scattered about, chiefly on that side of the audience were the noticeable faces of prominent teachers who had taken earnest and active part in the work of the Institute.

Among them we noticed Wellington Smith, J. H. Allen, Holmes Dwygner, D. A. Harman, J. W. Platt, F. P. Hensch, John Garman and others. We expected to have a passing look at the lady essayists, Miss C. V. Danglorty, Miss Ida J. Patton and Miss Mary J. Hunt, but before that compliment was afforded us, Mr. Arms was introduced and launched out on his lecture on "Boys," and that was an end to interests of other directions.

Arms went back to the Deluge, and away beyond, and began with the boy Adam, whom he unfolded in the regular orthodox style, leaving out and entirely ignoring Darwin with his tadpole and monkey theory, but recognising, definitely a special creation, and thence he pleasantly and humorously delineated the boy, steadily, along up to this time, and finished with his own experience as a boy. One of the most striking qualities of the lecture is, that it puts the moral training of the boy far above mere intellectual acquirements. Everybody was highly delighted.

Some one not realizing how difficult it is, without preparation to speak after a set lecture or speech has been delivered started a call for E. D. Parker, after some hesitancy which only served to multiply the calls from all quarters in the room, Mr. Parker took the floor. A look or two of embarrassment, a few common place words to get the bearing of the situation, which was soon done, and then the words flowed freely, and the thoughts of his mind rippled out over his face in advance of words, plainly indexed what was coming whether words of humor, sarcasm, or wholesome advice and instruction. Among a thousand speakers few can be found with the facial expression that Mr. Parker is endowed with. He does not speak in a mechanical way, simply by moving his lips and uttering words that must carry their own meaning.

With him every sentiment and word reflects itself through his face and stamps its meaning into the feeling of the hearers. If it be jest, or humor or whatever other thought, you see it expressed in words, you see and hear the thought near about one and the same time. Of course he was soon on the topmost wave of popular applause, ringing peals of laughter and hearty applause greeted him time after time. The stage and the play-acting and play-going world missed a great light when he took the law for a profession, but his own native county gained a good lawyer, on the conclusion of his speech the Institute adjourned and we with our better half on one arm and the borrowed chair on the other walked home talking about boys and men and how easily they may miss the highest places for which they were fitted by nature.

Congress convened on Monday—Alexander H. Stevens, Vice President of the defeated Southern Confederacy, took his seat as a representative from Georgia. It is proper now for Democratic journals to denounce Congress for oppressing the Southern people in allowing them to send ex-rebel officials to Washington. It would also now be in order for them to nominate Jeff. Davis for the Presidency.

Despatches represent the Spanish question as about settled, on the following basis:

First, The restoration of the Virginians.

Second, The release of the surviving prisoners.

Third, Indemnity for the families of the men murdered.

Fourth, The punishment of the murderers.

Fifth, A satisfactory guarantee against future outrages of Cuba.

A MAN who was to have been hung at Atlanta, Ga., on last Friday, committed suicide on Thursday.

WM. TWEDD is in the New York penitentiary. He was entered on the 29th ult. It doesn't pay to be a rascal. It won't wear.

A number of Congressmen are ready with schemes for the relief of the present financial distress.

FINANCIAL writers have greatly improved in the cities, among the banks.

THE army of the United States numbers only about 30,000 men.

### New Advertisements.

#### CUSHING'S MANUAL,

OF PARLIAMENTARY PRACTICE. Rules of proceeding and debate in deliberative assemblies. An indispensable handbook for every member of a deliberative body, and for every student of the States. "The most authoritative expounder of American parliamentary law."—Chas. Sumner, Vice, 65 cents. Sent by mail on receipt of Price. Address THOMPSON, BROWN & CO., Boston, Mass.

#### "TRUE TO NATURE."

This First-class Chromo will be given to every subscriber to Godley's Lady's Book for 1874. Whether a Single Subscriber for Three Dollars, or in a Club of Six, for Fourteen Dollars.

Address L. A. GODEY, N. E. Cor. Sixth and Chestnut Sts., Philadelphia, Pa.

See Terms in Lady's Book, or other Clubs.

#### TAKES ON SIGHT. Last and Best

combination for Cautious, Agents and Salesmen. Give every subscriber a pair of the largest and finest subjects, that "Oaks" or "Elms" can be made, as contrasts and companions for her "Wild Swans" and "Fast Sleep." Agents have IMMENSE STOCKS; call on the best business men, offered canvassers. We furnish the lightest and handsomest outfit, and pay very high commissions. Each subscriber receives with the paper two beautiful pictures, which are ready for IMMEDIATE DELIVERY. The paper itself stands peerless among family journals, being so popular that of its class it has the largest circulation in the world. For the best literary talent, Edward Eggleston's serial story is just beginning; back chapters supplied to each subscriber. "My Wife and I" begins in the new year. Any one wishing a good salary or an independent business, should send for circulars to J. B. FORD & A. S. CO., New York, Boston, Chicago, Cincinnati or San Francisco.

THE COMPANION A WEEKLY PAPER FOR YOUNG PEOPLE AND THE FAMILY

THE COMPANION aims to be a favorite in every family—looked for eagerly by the young folks, and read with interest by the older. Its purpose is to interest while it amuses; to be judicious, practical, sensible; and to have really permanent worth, while it attracts for the hour.

It is handsomely illustrated, and has for contributors some of the most attractive writers in the country. Among these are:

Edward Eggleston, Dr. L. I. Hayes, Prof. James McKim, Louise C. Moulton, Louisa M. Alcott, "Sophie May," Rebecca H. Davis, C. A. Stephens, C. W. Flinders, Ruth Chesterfield, S. S. Robbins, M. A. Denison.

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WOMEN MEN, Girls and Boys wanted to sell our French and American delicacies, books, Games &c., in their own localities. No capital needed. Cash terms. Address: P. O. VICKERY & CO., Jamaica, Maine.

\$18 a day guaranteed to Agents. Address: J. A. DRESS & CO., N. S. & N. S. Fair St., Baltimore, Md.

#### HORRIBLE!

I suffered with CATARRH thirty years, and was cured by a simple remedy. Will send recipe, postage free, to all afflicted. Rev. T. J. MEAD, Druggist 176, Syracuse, N. Y.

#### LUMBER! LUMBER!

White Pine Shaved Shingles, Lap and Joint, Sawed Shingles, Plastering Lath, Pickets and Board Boards.

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noted 26-66

#### PUBLIC NOTICE

IS HEREBY GIVEN, That in order to raise money to call in the construction of a new Court House in Mifflintown, the undersigned, Commissioners of the county of Juniata, have issued and are now prepared to sell, at their office in Mifflintown,

The Bonds of the County, of such denominations as may be desired—not less than Fifty Dollars—with coupons attached, at the rate of six per centum interest, to be paid annually. Said Bonds to be payable in one, two, or more years, not exceeding eight.

These Bonds are issued under the provisions of the Act of Assembly of the 9th of April, 1868, and will be a safe and desirable investment, except from taxation for all local and municipal purposes.

WM. VAN SWERINGEN, DAVID B. DIMM, A. A. CROZIER, Commissioners.

Attest: JAMES DEAN, Clerk, Commissioners' Office, Mifflintown, Nov. 7, 1873.

Notice of Dissolution. THE partnership heretofore existing between Nesh Hertler and William H. Kurtz, in the name and style of Hertler & Kurtz, at Van Wert, in Walker township, Juniata county, has this day been dissolved by mutual consent. All persons having unsettled accounts will please call on W. H. Kurtz, at Van Wert, and make settlement, and those having claims will present them for payment, as the books and accounts are in his hands for settlement.

WM. H. KURTZ, N. H. KURTZ. A fine assortment of cloths, cassimeres, vestings, &c., always on hand and for sale by S. & A. LOUDON.

### New Advertisements.

#### PROCLAMATION.

Election for the Adoption or Rejection of the New Constitution, Tuesday, December 16th, 1873.

In pursuance of instructions received from the Secretary of the Commonwealth of Pennsylvania, public notice is hereby given that the amended Constitution will be submitted to the qualified electors of the Commonwealth, for adoption or rejection, at an election to be held on the third Tuesday of December, 1873, being the 15th day, which election shall be held and conducted by the regular election officers in the several districts named below, under all the regulations and provisions of existing laws relating to general elections.

On the outside of the tickets to be voted shall be the words "New Constitution," in large letters for all persons giving affirmative votes the words, "For the New Constitution," and for all persons giving negative votes, "Against the New Constitution." I also hereby make known and give notice that the place of holding the aforesaid election in the several boroughs, districts and townships within the county of Juniata is as follows, to-wit:

At the Court House in the borough of Mifflintown, for the borough of Mifflintown.

At the Court House in the borough of Mifflintown, for the borough of Mifflintown.

At the School House in Mifflintown, for the borough of Mifflintown.

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